

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 5.1.1  
Eastern Division**

TCYK, LLC

Plaintiff,

v.

Case No.: 1:13-cv-03841  
Honorable Edmond E. Chang

DOES 1–36

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, June 21, 2013:

MINUTE entry before Honorable Edmond E. Chang: On Plaintiffs motion for early discovery [[6]], Plaintiffs brief explains that joinder of these multiple defendants (identified for now only via IP addresses) is proper because the defendants were chosen by the hash value of the particular version of the copyrighted work, by location in this District, and by a particular time period. Those limitations, Defendant says, defines the swarm. But the geographic limitation is really a personal-jurisdiction limit and not a joinder limit, and the specified time period does not appear to be chosen by any particular principle. So the hash value is really the connecting link for joinder. The Court is not entirely convinced that Plaintiffs joinder limit (the hash value) is correct in all situations, because it would allow, in theory, for joinder of a defendant who downloaded or uploaded on Day 1 with a defendant who participated in the swarm (as defined by Plaintiff) years later, so long as the hast value is the same. But here Plaintiff did limit the time period in defining the swarm (in this case, to a single day), so at this stage of the litigation (where there is not even an adversarial presentation), it is permissible at least to engage in discovery to identify the defendants. Defendants may re-raise the joinder issue later in the case. Status hearing set for 09/04/13 at 8:30 a.m.. The parties must file a joint initial status report with the content described in the attached status report requirements at least 3 business days before the initial status hearing. Plaintiff must still file the report even if not all Defendants have been served or have responded to requests to craft a joint report.  
Mailed notice(slb, )

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